

A RESOLUTION

22-415

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 3, 4, 5, 6, and 7 to Contract No. DCKA-2016-T-0046 with Motivate International, Inc. to operate, maintain, and expand the existing, regional Capital Bikeshare system, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCKA-2016-T-0046 Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists a need to approve Modification Nos. Nos. 3, 4, 5, 6, and 7 to Contract No. DCKA-2016-T-0046 with Motivate International, Inc. to operate, maintain, and expand the existing, regional Capital Bikeshare system, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 3, dated September 27, 2017, the Office of Contracting and Procurement (“OCP”), on behalf of the District Department of Transportation, exercised a partial option of Option Year One of Contract No. DCKA-2016-T-0046 for the period from October 1, 2017, through December 21, 2017, at no additional cost.

(c) Modification No. 4 was an administrative modification to correct a numbering error at no additional cost.

(d) On November 27, 2017, by Modification No. 6, OCP exercised another partial option of Option Year 1 for the period from December 22, 2017, through January 31, 2018, at no additional cost.

(e) On January 25, 2018, by Modification No. 7, OCP exercised another partial option of Option Year 1 for the period from February 1, 2018, through February 28, 2018, and modified Modification No. 3 to establishing \$998,000 as the ceiling for the partial option.

(f) Modification No. 5 is now necessary to exercise the remainder of option year one, and increase the total not-to-exceed amount for option year one to \$7,672,856.60.

(g) Council approval is required by section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)) since these modifications increase the contract to more than \$1 million during a 12-month period.

**ENROLLED ORIGINAL**

(h) Approval is necessary to allow the continuation of these vital services. Without this approval, Motivate International, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period beginning October 1, 2017 through September 30, 2018.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. Nos. 3, 4, 5, 6 and 7 to Contract No. DCKA-2016-T-0046 with Motivate International, Inc. Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.